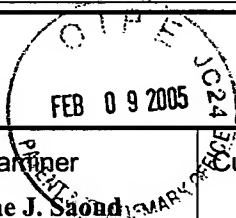


**COMBINED AMENDMENT & PETITION FOR EXTENSION OF  
TIME UNDER 37 CFR 1.136(a) (Large Entity)**Docket No.  
12785

In Re Application Of: Gregory Collier, et al.



Application No.

10/039,050

Filing Date

December 31, 2001

Examiner

Christine J. Sand

Customer No.

23389

Group Art Unit

1653

Confirmation No.

2282

Invention: **NOVEL GENES AND THEIR USE IN THE MODULATION OF OBESITY, DIABETES AND ENERGY  
IMBALANCE****COMMISSIONER FOR PATENTS:**

This is a combined amendment and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of October 6, 2004 in the above-identified application.

*Date*

The requested extension is as follows (check time period desired):

☐ One month    ☐ Two months    ☒ Three months    ☐ Four months    ☐ Five monthsfrom: November 6, 2004*Date*until: February 6, 2005 (Sunday)*Date*

The fee for the amendment and extension of time has been calculated as shown below:

**CLAIMS AS AMENDED**

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	89 -	89 =	0	x \$50.00	\$0.00
INDEP. CLAIMS	12 -	12 =	0	x \$200.00	\$0.00
FEE FOR AMENDMENT					\$0.00
FEE FOR EXTENSION OF TIME					\$1,020.00
TOTAL FEE FOR AMENDMENT AND EXTENSION OF TIME					\$1,020.00

02/10/2005 CNGUYEN 00000013 10039050

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1020.00 DP

**COMBINED AMENDMENT & PETITION FOR EXTENSION OF  
TIME UNDER 37 CFR 1.136(a) (Large Entity)**

Docket No.  
**12785**

The fee for the amendment and extension of time is to be paid as follows:

- ☒ A check in the amount of **\$1,020.00** for the amendment and extension of time is enclosed.
- ☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_
- ☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **19-1013/SSMP**
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **19-1013/SSMP**.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

  
Signature

Dated: February 7, 2005

Frank S. DiGiglio  
Registration No. 31,346  
Scully, Scott, Murphy & Presser  
400 Garden City Plaza-STE 300  
Garden City, New York 11530  
(516) 742-4343

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

February 7, 2005

(Date)

  
Signature of Person Mailing Correspondence

Frank S. DiGiglio

Typed or Printed Name of Person Mailing Correspondence

cc: FSD/ZY:ab